



Docket No.: 60637DIV (50370)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dana M. Fowikes, *et al.*

Application No.: 09/258,600

Confirmation No.: 4086

Filed: February 26, 1999

Art Unit: 1636

For: YEAST CELLS ENGINEERED TO
PRODUCE PHEROMONE SYSTEM
PROTEIN SURROGATES AND USES
THEREFOR

Examiner: David A. Lambertson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Date of Deposit April 27, 2005

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Peter C. Lauro, Esq.

Please Print Name of Person Signing

Peter C. Lauro
Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby bring to the attention of the Examiner the references listed on the enclosed Form PTO/SB/08a/b. Applicants enclose copies of all cited references, and respectfully request that the references be considered and made of record in the above-referenced patent application.

Applicants invite the Examiner's attention to the enclosed Form PTO/SB/08a/b with reference to the following comments. References AJ, CA, CB and CQ-CS were cited during prosecution of related pending U.S. application Ser. No. 09/286,166, which is cited on the enclosed Form PTO/SB/08a/b as reference AK. The claims of reference

AK (U.S. Ser. No. 09/286,166) were copied from U.S. Patent 5,691,188 to Pausch, *et al.*, cited herein on the enclosed Form PTO/SB/08a/b as reference AJ (also cited as reference A9 in the SIDS filed on June 19, 2003). All the claims of reference AK have been held allowable but further *ex parte* prosecution has been suspended because of a potential interference with reference AJ (U.S. Patent 5,691,188).

In addition, copending related application Ser. No. 10/600,003, cited herein on the enclosed Form PTO/SB/08a/b as reference AL, is a continuation of reference AK (U.S. Ser. No. 09/286,166) and also contains claims copied from reference AJ (U.S. Patent 5,691,188). Reference AL is awaiting substantive examination.

Applicants also note that references AA-AI, AM, BB and CD-CP listed on the enclosed Form PTO/SB/08a/b were cited during *ex parte* reexamination of U.S. Patent 5,401,629 to Harpold, *et al.*, which was made of record in the instant application as reference A5 in the SIDS filed June 19, 2003. Applicants further note that references AA, CN, CQ, CR and CS were previously cited as references A4, F14, C4, E10 and H8, respectively, in the SIDS filed June 19, 2003. For the convenience of the Examiner, courtesy copies of these previously cited references, as well as the previously cited references referred to above, are provided herewith.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

Pursuant to 37 C.F.R. §1.97(b)(4), no additional costs are believed to be due in connection with the filing of this disclosure. However, Applicants authorize the Director to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, or credit any overpayment, to our Deposit Account No. 04-1105, under Order No. 60638CON2(50370).

Application No.: 09/258,600

Docket No.: 60637DIV(50370)

Respectfully submitted,

By 

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Attorney for Applicants

Dated: April 27, 2005



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	09/258,600 Conf. #4086
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Filing Date	February 26, 1999
				First Named Inventor	Dana M. Fowlkes
				Art Unit	1636
				Examiner Name	David A. Lambertson
				Attorney Docket Number	60637DIV (50370)
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-5,284,746	02-1994	Sledziewski et al.	
	AB	US-5,576,210	11-1996	Sledziewski et al.	
	AC	US-5,618,720	04-1997	Ellis et al.	
	AD	US-5,386,025	01-1995	Jay et al.	
	AE	US-5,369,028	11-1994	Harpold et al.	
	AF	US-5,747,336	05-1998	Bonner et al.	
	AG	US-5,426,177	06-1995	Davis et al.	
	AH	US-5,648,344	07-1997	Brandley et al.	
	AI	US-5,849,897	12-1998	Davis et al.	
	AJ	US-5,691,188	11-1997	Pausch et al.	
	AK	US-09/286,166	04-05-1999	D. Fowlkes et al.	
	AL	US-10/600,003	06-18-2003	Fowlkes et al.	
	AM	US-5,071,773	12-1991	Evans et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	BA	-WO 90/05780 A1	05-31-1990	Civelli et al.		
	BB	-WO 88/03168	05-05-1988	Evans et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	PAUSCH, M.H., TIBTECH, Vol. 15 (487-494), 1997.	
	CB	Stedman's Medical Dictionary, 27th Edition 2000, Lippincott Williams and Wilkins, entry: Heterologous	
	CC	STRYER et al., "G Proteins: A Family of Signal Transducers", <i>Annual Review of Cell Biology</i> , Volume 2, (391-419) 1986.	
	CD	STUMPO et al. entitled "Identification of c-fos Sequences Involved in Induction by Insulin and Phorbol Esters," <i>Journal of Biological Chemistry</i> , Volume 263, pages 1611-1614 (1988).	
	CE	CHEN et al. entitled " Requirement for Intrinsic Protein Tyrosine Kinase in the Immediate and Late Actions of the EGF Recepto. " <i>Nature</i> , Volume 328, pages 820-823 (1987).	
	CF	PERALTA et al. entitled "Distinct primary structures, ligand-binding properties and tissue-specific expression of four human muscarinic acetylcholine receptors," <i>The EMBO Journal</i> , Volume 6, pages 3923-3929 (1987).	
	CG	BLACKSHEAR et al. entitled "Protein Kinase C-dependent and -independent Pathways of Proto-oncogene Induction in Human Astrocytoma Cells," <i>The Journal of Biological Chemistry</i> , Volume 262, pages 7774-7781 (1987).	

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	2	of	2	Attorney Docket Number	60637DIV (50370)
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Complete if Known

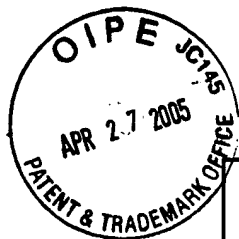
Application Number	09/258,600 Conf. #4086
Filing Date	February 26, 1999
First Named Inventor	Dana M. Fowlkes
Art Unit	1636
Examiner Name	David A. Lambertson

CH	LESTER, "Heterologous Expression of Excitability Proteins: Route to More Specific Drugs?," <i>Science</i> , Volume 241, pages 1057-1063 (1988).
CI	COMB et al., "A cyclic AMP- and phorbol ester-inducible DNA element," <i>Nature</i> , Volume 323, pages 353-356 (1986).
CJ	DEUTSCH et al. entitled "Cyclic AMP and phorbol ester-stimulated transcription mediated by similar DNA elements that bind distinct proteins," <i>Proceedings of the National Academy of Science USA</i> , Volume 85, pages 7922-7926 (1988).
CK	SASSONE-CORSI et al. entitled "Induction of proto-oncogene fos transcription through the adenylate cyclase pathway: characterization of a cAMP-responsive element," <i>Genes & Development</i> , Volume 2, pages 1529-1538 (1988).
CL	CHANGELIAN et al., <i>Proc Nat'l. Acad. Sci. USA</i> 86:377-381 (1989).
CM	TRUEHEART et al., <i>Molecular and Cellular Biology</i> 7(7):2316-2328 (1987).
CN	NOMOTO et al., <i>THE EMBO J.</i> 9(3):691-696 (1990). (cited to show inherent properties in Trueheart)
CO	FELDER et al., <i>J. Biol. Chem.</i> 264(3):20356-20362 (1989).
CP	GEORGE et al., <i>Biochem. Biophys. Res. Comm.</i> 150(2):665-672 (1988).
CQ	DIETZEL et al., <i>Cell</i> , (1987), 50. pp. 1001-1010.
CR	LEBERER et al., <i>EMBO Journal</i> , (1992), 11, pp. 4805-4813.
CS	WHITEWAY et al., <i>Mol. Cell. Biol.</i> (1994), 14, pp. 3223-3229.
CT	LODISH, et al., <i>Molecular Cell Biology</i> , Chapter 20.1(W. H. Freeman and Company, 2000)
CU	LODISH, et al., <i>Molecular Cell Biology</i> , Chapter 20.3 (W. H. Freeman and Company, 2000)
CV	STRACHAN, et al., <i>Human Molecular Genetics</i> , Chapter 16 (BIOS Scientific Publishers, Ltd, 1999)
CW	COOPER, <i>The Cell A Molecular Approach</i> , Chapter 13, 2nd edition (Sinauer, 2000)

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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Application No. (if known): 09/258,600

Attorney Docket No.: 60637DIV(50370)

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